

U.S. Department of Labor

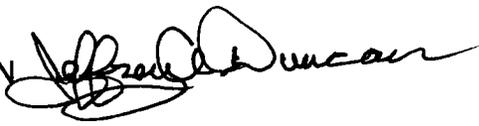
Mine Safety and Health Administration
201 12th Street South
Arlington, Virginia 22202-5452

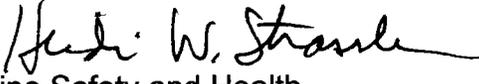


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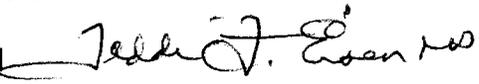
MEMORANDUM FOR NEAL H. MERRIFIELD
Administrator for Metal and
Nonmetal Mine Safety and Health

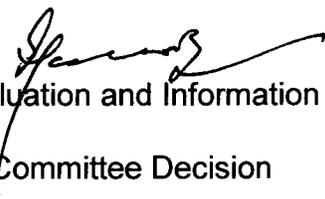
FROM:

JEFFREY A. DUNCAN 
Committee Chair
Director for Educational Policy and Development

HEIDI W. STRASSLER 
Associate Solicitor for Mine Safety and Health

WILLIAM J. FRANCAERT 
Acting Director of Technical Support

TEDDI F. EISEN, M.D., FACOEM 
Reviewing Medical Officer, Contractor
Federal Occupational Health
Program Support Center
U.S. Department of Health & Human Services

SYED HAFEEZ 
Director, Program Evaluation and Information

SUBJECT: Chargeability Review Committee Decision

Case No.: 2015-M-21 


Deceased: 


Date of Incident: July 30, 2015

Date of Death: July 30, 2015

Autopsy Conducted: Yes (not available).

Death Certificate Issued: August 3, 2015

Operator: Imerys Clays, Inc.

Mine: Deepstep Land and Mines

Decision: Not chargeable

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In a unanimous decision, the Chargeability Review Committee has determined that the death of [REDACTED] should not be charged to the mining industry. On July 30, 2015 [REDACTED], a 19-year old trespasser, was swimming in a water filled pit with four other individuals when he went down into the water and did not emerge. His body was retrieved by divers and he was pronounced dead at the scene by emergency responders.

The MSHA investigation found that the [REDACTED] was not employed by the mine and was trespassing in an area where mining activities were not occurring. The death certificate indicated that the manner of death was accidental and that the cause of death was drowning. The death certificate notes that an autopsy was performed, but the results were not available.

Based on these findings, the Committee members concluded that [REDACTED] death should not be charged to the mining industry.

cc: Joseph A. Main
Patricia W. Silvey
Laura V. McClintock